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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HIGH TECH BURRITO CORPORATION,
Plaintiff,

v.

AMRESKO COMMERCIAL FINANCIAL,
LLC, as successor in interest
to AMRESKO COMMERCIAL
FINANCIAL, INC.; DOES 1-10,
Inclusive,

Defendants

Case No. C06-04341 SI

**STIPULATION AND [PROPOSED] ORDER
EXTENDING DATES FOR OPPOSITION TO
MOTION TO DISMISS ACTION AND
REPLY BRIEF**

The parties hereto stipulate, through counsel, as follows:

1. The motion to dismiss complaint for failure to state a cause of action of Defendant AMRESKO COMMERCIAL FINANCE, LLC is set for hearing on September 29, 2006.

2. Under Civil L.R. 7-3, an opposition to a motion must be served and filed not less than 21 days before the hearing, and a reply to an opposition served and filed by the moving party not less than 14 days prior to the hearing on the motion. To be timely under this rule, the opposition of Plaintiff HIGH TECH BURRITO CORPORATION should be served and filed on September 8,

2006, and the reply of Defendant AMRESKO COMMERCIAL FINANCE, LLC should be served and filed on September 15, 2006.

3. Counsel for Plaintiff has had an unexpected increase in workload which interfered with his ability to prepare an opposition to the present motion.

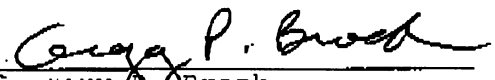
4. Counsel for Defendant has graciously agreed as a courtesy to allow Plaintiff's counsel to serve and file an opposition to the motion on September 12th on condition that Defendant's reply would be served and filed on September 19th.

5. No undue prejudice or delay will arise from this accommodation.

SO STIPULATED BY:


Dated: September 7, 2006

JON YORK & ASSOCIATES


Gregory A. Brock,
Attorneys for Plaintiff,
HIGH TECH BURRITO CORPORATION

Dated: September 7, 2006

DLA PIPER US LLP


Matthew S. Covington,
Attorneys for Defendant,
AMRESKO COMMERCIAL FINANCIAL,
LLC

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ORDER

Good cause appearing therefore, IT IS HEREBY ORDERED that Plaintiff's opposition to Defendant's motion to dismiss complaint for failure to state a claim shall be served and filed on or before September 12, 2006. Defendant's reply brief shall be served and filed on or before September 19, 2006.

SO ORDERED.

Dated: _____



The Hon. Judge Susan Illston
United States District Judge